FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.7528 of2006

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr Tushar N Sonawane i/b Mr M.M.sathaye, for the petitioners.

CORAM: D.B.BHOSALE,J.
DATED: 09.03.2007

P.C.:

Heard the learned counsel for the petitioners.

By this writ petition, the petitioner has impugned an order dated 5.8.2006 rejecting the application at Exhibit-72, by which the petitioners-plaintiffs prayed for recasting of the issues framed by the trial Court. I perused the order. The court has ample powers under Order XIV Rule 5 of the Code of Civil Procedure to amend the issues and frame additional issues at any stage of the proceedings for determining the matters in controversy. Keeping that in view, in my opinion, the order does not warrant

interference in extremely limited jurisdiction of this court under Article 227 of the Constitution of India. The writ petition, therefore, fails and dismissed as such.

(D.B.BHOSALE,J.)